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6 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
7 COUNTY OF SAN BERNARDINO

8 JEFF MACY, as an individual

9 PLAINTIFF,

10 vs.

11 CALIFORNIA HIGHWAY PATROL, a State  
12 Agency; Officer CHRISTOPHER BATES,  
13 Supervisor Officer Sergeant JEFFREY  
14 O'BRIEN, & DOES 1-10, inclusive,

15 DEFENDANTS.

Case No.: 5:23-cv-02245-RGK-BFM

MOTION FOR SANCTION(s) pursuant to  
FRCP 30(d)(2):

**[PRE-TRIAL MOTION]**

16 PLAINTIFF JEFF MACY ("Mr. Macy"), through his undersigned counsel, hereby  
17 files this Pre-Trial Motion against Defendants California Highway Patrol Running  
18 Springs, Christopher Bates ("Bates"), Jeffrey O'Brien ("O'Brien"), & Does 1 to 10,  
19 inclusive (collectively "Defendants"), alleges as follows:

**JURISDICTION & VENUE**

20 1. This Court has original jurisdiction pursuant to 28 U.S.C. §§ 1331 & 1343(a) (3-  
21 4) because Plaintiff asserts claims arising under the laws of the United States  
22 including 42 U.S.C. §§ 1983, 1985 & 1988, the Fourth & Fourteenth  
23 Amendments of the United States Constitution. This court has supplemental  
24 jurisdiction over state law claims pursuant to 28 USC § 1367 because those  
25 claims are so related to PLAINTIFF'S federal claims that the claims form part  
26 of the same case &/or controversy pursuant to Article III of the United States  
27 Constitution.

28 2. Venue is properly founded in this judicial district pursuant to 28 USC §§  
1391(b) & (c) in that a substantial part of the events giving rise to the claims

1 in this action occurred within this District & Defendants are subject to  
2 personal jurisdiction in this district.

3 **PARTIES**

4 3. PLAINTIFF JEFF MACY, is a citizen of the State of California, & at all relevant  
5 times herein was a resident in San Bernardino County in the State of  
6 California.

7 4. Defendant California Highway Patrol Running Springs, is & at all times  
8 relevant a public entity located in the County of San Bernardino & existing  
9 under the laws of the State of California.

10 5. Defendant Christopher Bates is & at all times relevant a resident in the  
11 County of San Bernardino & existing under the laws of the State of  
12 California.

13 6. Defendant Jeffrey O'Brien is & at all times relevant a resident in the County  
14 of San Bernardino & existing under the laws of the State of California.

15 7. On information & belief at all times relevant, Defendant DOES 1-50 were  
16 residents of the County of San Bernardino & are sued in their individual  
17 capacity.  
18

19 **I. Introduction**

20 Plaintiff is filing for a Motion for a Pre-Trial Motion as Defendant Jeffrey  
21 O'Brien's Response to Plaintiff's Request for Production of Documents CD  
22 was seemingly intentionally cracked & unusable; would not play. Defendant  
23 Christopher Bates's Response to Plaintiff's Request for Production of  
24 Documents CD was edited, can clearly see at 37 minutes & 39 minutes, &  
25 multiple other times in the video that there were many time skips. The audio  
26 in the video was also mangled, so that the sound was inaudible & couldn't  
27

1 hear the Officers speaking. One video is intentionally cracked & the other is  
2 intentionally edited.

3  
4 **II. Discussion**

5 Defendants are intentionally withholding evidence from Plaintiff. The  
6 purpose of Highway Patrol Officers having Dash-cams is for evidence.  
7 Officers know they have to be recordable, video/audio recorded;  
8 according to the First Amendment. (Glik v. Cunniffe, 655 F.3d 78 (1st Cir.  
9 2011) It is a public right to be able to record Highway Patrol Officers on duty.  
10 Highway Patrol Officers do not have an Amendment right to not be  
11 recorded while on their official duty. YouTube Video showing the  
12 intentionally cracked CD: <https://youtu.be/R9FY7r6l9vg?feature=shared>

13 **III. Conclusion**

14 For the reasons set forth above, Plaintiff's Pre-Trial Motion should be  
15 approved. Plaintiff asks that the court will compel the Defendants to  
16 provide unedited videos of the traffic stop as requested & have a trial, so  
17 Defendant's cannot harass Plaintiff.

18 **PRE-TRIAL MOTION**

19 Plaintiff hereby motions for a Pre-Trial Motion to compel Defendants for  
20 proper evidence.

21  
22 Respectfully Submitted,

23  
24 Dated: 11/3/2024

25  
26 By: Jeff Macy

27 Jeff Macy- Bible Law Translator